

**United States District Court
for the District of Massachusetts**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Darrell Allen

Case Number: 06-CR-10170

Name of Sentencing Judicial Officer: The Honorable Reginald C. Lindsay, U.S. District Judge

Name of Assigned Judicial Officer: The Honorable Senior Judge Mark L. Wolf

Date of Original Sentence: March 06, 2008

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922 (g)(1)

Original Sentence: 180 Months of custody followed by 36 Months of supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: March 14, 2019

PETITIONING THE COURT

☐ To extend the term of supervision for years, for a total term of years

☒ To modify the conditions of supervision as follows:

The defendant shall participate in a program for substance abuse counseling as directed by the Probation Office, which program may include testing, not to exceed 104 drug tests per year to determine whether you have reverted to the use of drugs. You shall contribute to the costs of services for such treatment based on your ability to pay or availability of third-party payment.

CAUSE

On March 5, 2018, Mr. Darrell Allen appeared before the Honorable Reginald C. Lindsay, U.S. District Judge for a sentencing hearing. On this date, Mr. Allen was sentenced to 180 Months of imprisonment followed by 3 years of supervised release for Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922 (g)(1). One of the Court's recommendation for Mr. Allen upon sentencing was for him to participate in the Bureau of Prisons 500-Hour Residential Drug Abuse Program. Mr. Allen successfully completed this program while in custody.

On March 14, 2019, Mr. Allen was released from imprisonment and commenced his term of supervised release. One of Mr. Allen's mandatory conditions of release is that he shall not unlawfully possess a controlled substance and he shall refrain from any unlawful use of a controlled substance. Mr. Allen is also required to submit one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed tests per year, as directed by the probation officer.

The Probation Department has reviewed Mr. Allen's conditions of release and previous drug history and offered Mr. Allen the opportunity to modify his conditions of supervised release to include drug testing and drug treatment if necessary, to aid Mr. Allen in his transition back into the community. Mr. Allen agreed to the modification and signed the waiver of hearing to modify conditions of supervised release.

The Probation Department believes that a modification of Mr. Allen's conditions of supervised release is

Prob 12B	- 2 -	Request for Modifying the Conditions or Terms of Supervision with Consent of the Offender
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appropriate because it will allow Probation to monitor Mr. Allen's drug use and properly deter Mr. Allen from any future drug use. It should be noted for the Court, that since release from imprisonment, Mr. Allen has not tested positive for any illicit substances. If Your Honor concurs with this course of action, it is respectfully requested that Your Honor so indicate in the space provided below.

Reviewed/Approved by:

/s/ Brett Wingard
Brett Wingard
Supervising U.S. Probation Officer

Respectfully submitted,

/s/ James Pace
by James Pace
U.S. Probation Officer
Date: 9/11/2019

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☐ The Modification of Conditions as Noted Above
- ☐ Other

The Honorable Senior Judge
Mark L. Wolf

Date

PROB 49
(3/89)

United States District Court

For the District of Massachusetts

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

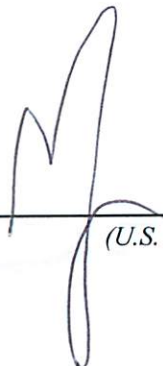
I, Darrell Allen, Dkt No 0101 1:06CR10170-001, have been advised and understand that I do not have to agree to this proposed modification(s). I have been advised and understand that instead of signing this form today, I can consult with an attorney and report back to the Probation Office within 48 hours as to how I would like to proceed.

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

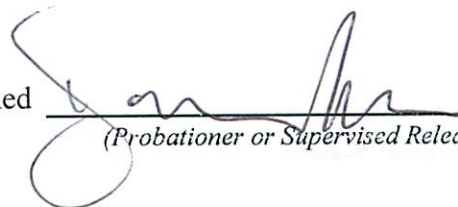
The defendant shall participate in a program for substance abuse counseling as directed by the Probation Office, which program may include testing, not to exceed 104 drug tests per year to determine whether you have reverted to the use of drugs. You shall contribute to the costs of services for such treatment based on your ability to pay or availability of third-party payment.

Witness



(U.S. Probation Officer)

Signed



(Probationer or Supervised Releasee)

9/3/19

(Date)